

REMARKS

In this Amendment, claims 1-9, 28-31, and 38-65 have been cancelled without prejudice or disclaimer, as these claims are directed to non-elected subject matter. In addition, claims 26 and 35-37 have been cancelled without prejudice or disclaimer. Claims 10-25, 27, and 32-34, which are directed to the elected subject matter, are pending in the application. In particular, claims 10-25, 27, and 32-34 are directed to the elected peptide species. Claims 25 and 32 are directed to the elected carrier molecule. Claim 33 is directed to the elected biological response molecule. Claim 34 is directed to the elected adjuvant. In addition, claim 10 has been amended to comply with the Sequence Requirement, and claims 25 and 32-34 have been amended to comply with the Restriction/Election Requirement. No new matter is introduced by the amended claims, which are supported by the instant specification as filed.

Specifically, support amended claims 25 and 32 is found in Example 1, in original claim 26, and in the originally filed specification of the application on page 12, lines 6-9. Support for amended claim 33 is found in Example 1, in Figures 1, 3, and 6, in original claims 36, 37, 47, and 53, and in the originally filed specification of the application on page 11, lines 14-21, and page 19, lines 5-14. Support for amended claim 34 is found in Example 1, in original claims 35 and 51, and in the originally filed specification of the application on page 12, lines 3-5.

To comply with the Sequence Requirements under 37 C.F.R. §§1.821-1.825, Applicants have provided a substitute Sequence Listing to include the amino acid sequence shown in claim 10. In addition, claim 10 has been amended to insert

the sequence identifier (SEQ ID NO) corresponding to the amino acid sequence contained in the claim.

To comply with the Restriction/Election Requirement under 35 U.S.C. §121, Applicants have elected the examination of the Group I claims, which are directed to mutant *ras* peptides and pharmaceutical compositions thereof. Applicants have also elected the examination of the peptide species Xaa₁ Leu Xaa₂ Val Val Gly Ala Xaa₃ Gly Val (SEQ ID NO:14), which is recited in claim 10. In addition, Applicants have elected a specific carrier molecule (tetanus toxoid), biological response modifier (interleukin 2), and adjuvant (RIBI Detox™) for examination.

As a result of the Restriction/Election Requirement, claims 25 and 32-34 have been amended to reflect the subject matter of the elected group and species. In addition, claims 1-9, 28-31, and 38-65, which are directed to non-elected subject matter, have been cancelled without prejudice. The non-elected claims may subsequently be presented in one or more timely-filed divisional application(s).

Applicants respectfully traverse the Restriction/Election Requirement as set forth by the Examiner. In particular, Applicants note that the invention of the subject application relates to mutant *ras* peptides. The carrier molecules, biological response modifiers, adjuvants, and liposome formulations described in the application are well known to those skilled in the art. Therefore, it is argued that Applicants cannot properly be required to elect a species related to carrier molecules, biological response modifiers, adjuvants, and liposome formulations, as these elements do not impart additional inventive concepts.

AUTHORIZATION

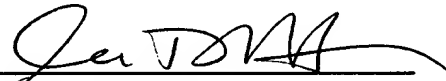
The Commissioner is hereby authorized to charge any additional fee(s) that may be required by this Amendment or to credit any overpayment to Deposit Account No. 13-4500, Order No. 2026-4230US1. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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By:


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